

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil Action No. 1:13-cr-00428 RBK

UNITED STATES OF AMERICA

NOTICE OF EXHIBIT / EMERGENCY MOTION

MAY - 6 2022

V, AT 8:30
WILLIAM T. WALSH
CLERK

DAVID CRESPO

2). SUPPLEMENTAL EXHIBIT RELATED TO PENDING
MOTION FOR COMPASSIONATE RELEASE

Now Comes, defendant in the above titled action to supplement his pending motion for compassionate release to notify this Court of independent, reliable evidence that supports defendant's previous assertions that the B.O.P. is mishandling/ mismanaging his serious medical condition;

(1.) As evidenced by Exhibit A attached hereto, on or about April 20, 2022 Forbes News reported that despite the BOP's overall stated goal that "health care is delivered to inmates in accordance with proven standards of care without compromising public safety concerns inherent to the agency's overall mission," its standards are being compromised as a result of staffing shortages that the agency has faced for years now:

(2) furthermore, and extremely relevant to this motion is the fact that; A March 2022 D.O.J. Inspector General Report found that the BOP lacks a reliable, consistent process in place to evaluate either the timeliness of inmate health care or the quality of that care, "the BOP faced challenges in transporting inmates to off-site appointments which resulted in a frequent need to reschedule appointments that could delay an inmate's health care," the BOP "did not have systems in place to track and monitor the causes for rescheduling appointments, including whether the reason for a cancellation was a BOP issue or one that was out of its control," and the BOP "did not have a process in place to monitor how long an inmate waited to receive care after a cancelled appointment."

(3.) Despite the government and Dr. Diane Sommer's attempt to frame the BOP's medical staff and/or operation as pristine, FORBES, and the D.O.J.'s Inspector General's office has found it to be lacking, to say the least. To be sure, Said failures create an extremely dangerous prison environment where inmates like Myself, health conditions are being deceptively downplayed and/or ignored by the very same "medical professionals" whom are suppose to help us.

(4.) Medical staff shortages here at USP Canaan is causing rushed, quickly performed dog and pony shows, disguised as medical check-ups, with over 30 inmates seeing one doctor in approx. 1 hour of time,

To be sure, my medical condition has been repeatedly misrepresented to this Court. I have now made contact with FORBES, and the New York Times News organization[5] in an effort to get some investigative journalism focused on my particular circumstances.

As evidenced in my Pre-Sentence Report, I have long standing mental health conditions which causes me to stress and/or go into deep depression.

The BOP's Case 1:13-cr-00428-RBK Document 162 Filed 05/06/22 Page 2 of 18 PageID: 3190 mis-handling of my serious medical condition is negatively affecting my mental health condition. One inmate recently chose to commit suicide rather than deal with the daily corrupt/faulty measures being taken by prison officials here. I do not want to be the second one, but it's extremely hard to deal with.

Therefore, I hereby seek EMERGENCY ASSISTANCE from this Court and/or Appointed Counsel, and respectfully request that this Court considers the attached document as soon as possible.

Respectfully Submitted,

Patrick Crespo

4/29/22

TRULINCS 64471050 - CRESPO, DAVID - Unit: CAA-F-B

BACK TO WORK FOR CONGRESS

Congress is back in session after Easter/Passover/Ramadan break, and the drumbeat continues for the EQUAL Act.

Last week, The Hill editorialized that "April is Second Chance Month and an opportunity to think deeply about the real purpose of incarceration and of penal systems more broadly. The EQUAL Act addresses the sentencing disparity in our federal justice system involving penalties for crack and powdered cocaine offenses, which has resulted in unintentional racial disparities and significantly higher federal prison populations. The law was intended to reduce the harm of crack cocaine possession, distribution and consumption. The validity of its original intention may be debated, but it has been proven to have unacceptable consequences."

Writing in the Washington Examiner last week, former congressman Doug Collins said, "it's no surprise that law enforcement is spearheading" the EQUAL Act. Roughly 90% of those serving time for crack offenses at the federal level are black... According to the country's most respected law enforcement leaders, eliminating this disparity would help police officers build trust with communities of color, especially in urban areas where law enforcement finds it difficult to cultivate sources to investigate murders, shootings, and other violent crimes."

The MORE Act, which would decriminalize marijuana, has passed the House of Representatives. Whether it will pass in the Senate, where all 50 Democrats and at least 10 Republicans would need to support it, is unclear. Maritza Perez, Director of National Affairs at Drug Policy Alliance, told The Grio last week it will be a "hard sell." The Senate will be considering its own bill that focuses less on decriminalization and more on a regulatory and tax framework for cannabis sale and use.

White House press secretary Jen Psaki said last Wednesday that President Biden "remains committed" to honoring his campaign pledge to release "everyone" in federal prison for marijuana, claiming that he believes "no one should be in jail because of drug use."

Psaki did not provide a timeline. "I don't have an update here. We are continuing to work with Congress. But what I can say on marijuana is we've made some progress on our promises. Additionally, the president's continuing to review his clemency powers, which is something he also talked about on the campaign trail and he certainly remains committed to taking action on."

The Hill, Justice for some is no justice at all we must change our criminal justice system (Apr 22)

The Grio, Advocates say legalizing cannabis would restore justice for Blacks, but can Washington get it done? (Apr 20)

Washington Examiner, Take the next step on the First Step Act (Apr 20)

NY Post, Biden 'committed' to freeing inmates with marijuana convictions, Psaki says (Apr 20)

<>>
SHOCK REPORT BOP MEDICAL CARE FALLS SHORT * Please See Exhibit A ↓

Forbes reported last week that despite the BOP's overall goal that "health care [is] delivered to inmates in accordance with proven standards of care without compromising public safety concerns inherent to the agency's overall mission," its 'standards' are being compromised as a result of staffing shortages that the agency has faced for years now!

A March 2022 DOJ Inspector General Report found that the BOP lacks a reliable, consistent process in place to evaluate either the timeliness of inmate healthcare or the quality of that care," that "the BOP faced challenges in transporting inmates to off-site appointments which resulted in a frequent need to reschedule appointments that could delay an inmate's healthcare," the BOP "did not have systems in place to track and monitor the causes for rescheduling appointments, including whether the reason for a cancellation was a BOP issue or one that was out of its control," and the BOP "did not have a process in place to monitor how long an inmate waited to receive care after a cancelled appointment.

"Because the BOP did not have systems to measure or track any of these issues, the Report said, "we believe it is difficult for the BOP to determine whether inmates are receiving care within the required community standard."

Forbes, Federal Bureau Of Prisons' Medical Care Falls Short Of Its Own Policy (Apr 19)

DOJ Inspector General, Audit of the Federal Bureau of Prisons Comprehensive Medical Services Contracts Awarded to the University of Massachusetts Medical School (Mar 17)

Java Cope # 0471 Case 1:13-
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Waymart, PA
18472

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United States District Court
Office of the Clerk

4th & Cooper Streets
Camden, New Jersey
08101

RECEIVED

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AT 8:30 WILLIAM T. WALSH M
CLERK

Legal Mail

08102-152113